

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ERIC LEWIS,

Petitioner,

v.

Case No. 1:04-cv-398

KURT JONES,

Hon. Wendell A. Miles

Respondent.

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ORDER ADOPTING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION

Petitioner, Eric Lewis, while in the custody of the Michigan Department of Corrections, filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254. On March 29, 2007, United States Magistrate Judge Ellen S. Carmody issued a Report and Recommendation ("R & R") recommending that Eric Lewis's petition for writ of habeas corpus be denied. Petitioner filed no objections to the R & R.<sup>1</sup>

The court, having reviewed the R & R filed by the United States Magistrate Judge in this action, agrees with the reasoning and recommended disposition contained in the R & R.

Accordingly, the court ADOPTS the Magistrate Judge's Report & Recommendation (dkt. # 17), and DENIES the Petition for Writ of Habeas Corpus (dkt. # 1).

So ordered this 2nd day of May, 2007.

/s/ Wendell A. Miles  
Wendell A. Miles  
Senior U.S. District Judge

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<sup>1</sup>The R&R mailed to Petitioner's last known address, Riverside Correctional Facility, was returned marked "Paroled," and no forwarding address was indicated. Nor has Petitioner filed a change of address with the court. "A party, not the district court, bears the burden of keeping the court apprised of any changes in his mailing address." Carey v. King, 856 F.2d 1439, 1441 (1988).